

REMARKS

The issues identified by the examiner in the Office Action will now be addressed in the order they were presented.

First, the applicant acknowledges that the proposed amendments to the claims do not require deletion of any inventor(s).

Second, the first paragraph of the specification has been amended to show that the parent application, serial number 10/167,893, has been abandoned.

Third, claims 1-14 and 16 stand “rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, line 1, a term, such as “having” or “comprising” should be inserted after element, so that the claim makes sense. In claim 6, the last line of the claim does not make sense. In claim 13, it is unclear as to whether applicant intends to define the height to width ratio of the element or the height to length ratio of the element.” With regard to claim 1, the term “comprising” has been inserted after the word “element”. In claim 6, the term “height” has been inserted between “the” and “of” thereby completing the sentence. Support for this amendment can be found in original paragraph 25, lines 4 and 5, which reads “In one specific embodiment, D does not exceed one half the dimension H of the element and, in another embodiment, ...” Since paragraph 17 clearly indicates that “H” represents “height”, the word “height” was inserted into claim 6 thereby clarifying the meaning of the claim. In claim 13, the word “width” was replaced with the word “length” which is consistent with the “H:L” designation found in the later portion of original claim 13. Since the items that justified the rejection under 35 U.S.C. 112 have been addressed, removal of this rejection is warranted.

Fourth, claims 1-5, 8-11, 13, 14, 16-19, and 30 stand rejected under U.S.C. 103(a) as being unpatentable over Niknafs et al '423 taken together with Lex, Jr. et al and claims 20-26 and 29 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Niknafs et al '423 taken together with GB 255,770. The rejections based on the cited references have been rendered moot by: (a) canceling claims 16-26, 29 and 30, and; (b) incorporating claim 12 into claim 1. Since claim 12 was indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, and to include all of the limitations of the base claim and any intervening claims, incorporating claim 12 into claim 1 makes claim 1 allowable. Furthermore, claims 2-11, 13 and 14 are also in condition for allowance because they depend directly or indirectly from claim 1.